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PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
YU106US

First named inventor: Kia Silverbrook

Application No.: 09/854,703

Art Unit:

Filed: May 14, 2001

Examiner:

Title: Symmetric Ink Jet Apparatus

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OFFICE OF PETITIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,300 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of \$140 fee + Declaration _____ (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

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885.00 00

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 12, 2003

Date

Kia Silverbrook

Greg McAvoy

Signature

Telephone

Number: +61 2 9818 6633

email: kia.silverbrook@silverbrookresearch.com

Kia Silverbrook

Greg McAvoy

Typed or printed name

393 Darling Street, Balmain, NSW 2041

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Declaration

Australia

Address

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate

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SILVERBROOK RESEARCH Pty Ltd

393 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 6633 Fax: +61 2 9818 6711
Email: info@silverbrook.com.au
ACN 066 573 671



FACSIMILE MESSAGE

Date: February 20, 2002
To: Office of Initial Patent Examination
Attention: Ms Monica Young
Fax No.: 1 703 308 ⁷⁷⁵/~~7725~~
Subject: United States Patent Application Serial No. 09/854,703
Inventor/Assignor: Kia Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD

FAXED

COPY

Our Ref: YU106US

Total Number of Pages (including this) 9

I refer to our telephone conversation and as requested am now submitting my query by fax.

1. A formalities letter (confirmation no. 9828) dated July 3, 2001 was received on the above application, advising an amount of \$10 owing on filing fee, together with a \$65 surcharge, totalling \$75.
2. We replied to this notice on July 24, 2001 by fax, enclosing the required fee of \$75 (copies of this correspondence and fax transmission sheet are attached).
3. We have now received a further formalities letter (confirmation no. 9828) dated December 5, 2001, acknowledging receipt of our reply of July 11, 2001 (but our reply was dated July 24, 2001) and advising that the \$75 was still outstanding.
4. In anticipation that the problem results from the misplacement of the correspondence of July 24, we now enclose a new credit card form. The original credit card form submitted on July 24, 2001 is no longer appropriate.

Thank you for your assistance in this matter.

Regards

Leonie News
Silverbrook Research Pty Ltd

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JOB	START TIME	USAGE	PHONE NUMBER/ADDRESS	TYPE	PAGES	MODE	STATUS
436	20/ 2 11:51AM	3'00"	001117033087751	SEND	9/ 9	EC144	COMPLETED

TOTAL 3'00" PAGES SENT: 9 PAGES PRINTED: 0



SILVERBROOK RESEARCH Pty Ltd
393 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 5033 Fax: +61 2 9818 8711
Email: info@silverbrook.com.au
ACN 068 573 671

FACSIMILE MESSAGE

Date: February 20, 2002
To: Office of Initial Patent Examination
Attention: Ms Monica Young
Fax No: 1 733 308 7757
Subject: United States Patent Application Serial No. 09/854,703
Inventor/Assignor: KIS Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD

Our Ref: YU106US

Total Number of Pages (including this) 9

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Louise News
Silverbrook Research Pty Ltd

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JOB	START TIME	USAGE	PHONE NUMBER/ADDRESS	TYPE	PAGES	MODE	STATUS
415	24/ 7 12:14PM	1'45"	001117033087751	SEND	5/ 5	EC144	COMPLETED

TOTAL 1'45" PAGES SENT: 5 PAGES PRINTED: 0

SILVERBROOK RESEARCH Pty Ltd
303 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9618 6533 Fax: +61 2 9618 6711
Email: info@silverbrook.com.au
ACN 066 573 671

COPY

July 24, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
WASHINGTON, DC 20231

BY FACSIMILE
(703) 368 7751

Attention: Office of Initial Patent Examination
Customer Service Centre

Dear Sirs,

United States Patent Application Serial Number 09/854,703
Inventors: Kia Silverbrook and Greg McAvoy
Assignee: SILVERBROOK RESEARCH PTY LTD
Title of Invention: Symmetric Ink Jet Apparatus
Docket No: YU106US

We refer to the Notice To File Missing Parts of Nonprovisional Application received
from your Office in respect of the above application and attach herewith the necessary fees.

Respectfully yours

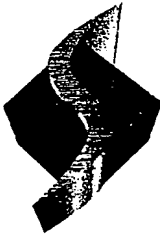
Ans Nair

Ans Nair
Assistant to Kia Silverbrook

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SILVERBROOK RESEARCH Pty Ltd

393 Darling Street Balmain NSW 2041 Australia

PO Box 207 Balmain NSW 2041 Australia

Phone: +61 2 9818 6633 Fax: + 61 2 9818 6711

Email: info@silverbrook.com.au

ACN 066 573 671

July 24, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
WASHINGTON, DC 20231

COPY

**BY FACSIMILE
(703) 308 7751**

Attention: Office of Initial Patent Examination
Customer Service Centre

Dear Sirs,

United States Patent Application Serial Number 09/854,703
Inventors: Kia Silverbrook and Greg McAvoy
Assignee: SILVERBROOK RESEARCH PTY LTD
Title of Invention: Symmetric Ink Jet Apparatus
Docket No: YU106US

We refer to the Notice To File Missing Parts of Nonprovisional Application received from your Office in respect of the above application and attach herewith the necessary fees.

Respectfully yours

Ana Nair
Assistant to Kia Silverbrook

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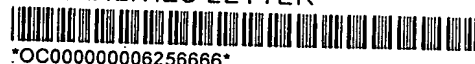
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/854,703	05/14/2001	Kia Silverbrook	YU106US

CONFIRMATION NO. 9828

FORMALITIES LETTER



OC00000000625666

24011
SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

COPY

Date Mailed: 07/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 10 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 75.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/854,703	
	Filing Date	May 14, 2001	
	First Named Inventor	Kia Silverbrook	
	Group Art Unit	2853	
	Examiner Name		
Total Number of Pages In This Submission		Attorney Docket Number	YU106US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	I respectfully request the Examiner to contact me if any further fees are required:
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Email: kia@silverbrook.com.au Telephone: 61-2-9818-6633 Facsimile: 61-2-9818-6711

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kia Silverbrook c/- Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain NSW 2041, Australia
Signature	<i>[Signature]</i>
Date	July 24, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>	
Typed or printed name	
Signature	
Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$75)

Complete if Known

Application Number 09/854,703
Filing Date May 14, 2001
First Named Inventor Kia Silverbrook
Examiner Name
Group Art Unit 2853
Attorney Docket No. YU106US

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☐ Check ☒ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) Response to Missing Parts			75

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 75

SUBMITTED BY

Name (Print/Type) Kia Silverbrook
Signature

Registration No. (Attorney/Agent)

Complete (if applicable)

Telephone +61-2-9818-6633
Date July 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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